

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNIVERSITY TECHNOLOGY PARK, INC.,	:	CIVIL ACTION
Plaintiff	:	
	:	
v.	:	
	:	
	:	
PHILIP STINSON, ESQ., et al.,	:	
Defendants	:	NO. 02-3214

ORDER

AND NOW, this _____ day of June, 2002, upon consideration of the plaintiff's Motion for Remand, Costs, Attorney's Fees and Expedited Consideration (Docket #3), IT IS HEREBY ORDERED that said Motion is DENIED insofar as it seeks expedited consideration.

During the teleconference between the Court and the parties on May 31, 2002, the Court informed the defendant that he would have the time prescribed by the Local Rules of Civil Procedure to respond to the plaintiff's Motion for Remand. Therefore, the Court will afford the defendant that amount of time, and no longer, to respond.

In addition, the plaintiff has submitted to the Court a proposed Motion for Sanctions pursuant to Rule 11 of the Federal Rules of Civil Procedure. The plaintiff served the defendant with the proposed motion, in accordance with Rule 11(c)(1)(A),

via facsimile on May 31, 2002. By letter to the Court of that same date, the plaintiff requested that the Court prescribe a period shorter than the 21 day safe harbor period provided for in Rule 11 for the defendant to withdraw or appropriately correct the Notice of Removal. However, the Court is reluctant to shorten the safe harbor period, the purpose of which is to "allow the offending party an opportunity for corrective action prior to the invocation of sanctions." See Daliessio v. DePuy, Inc., 178 F.R.D. 451, 452 (E.D. Pa. 1998); Advisory Committee Notes to 1993 Amendments to Fed. R. Civ. P. 11, Subdivisions (b) and (c). For that reason, the plaintiff's request to shorten the safe harbor period is denied.

BY THE COURT:

MARY A. McLAUGHLIN, J.